

APPENDIX

JURISDICTION:
General Reference:

UNIFORM VEHICLE CODE (UVC)
The UVC as revised by the National Committee on Uniform Traffic Laws and Ordinances in 2000.

Required Use of Safety Belts¹:

Requirements:

- I. A person is required to use a safety belt when operating a motor vehicle². §12-412(a)
II. When operating a motor vehicle², a person must require that all passenger be secured in a safety belt. Passengers <12 years old must be secured by a safety belt in the rear seat unless all available rear seats are in use by other passengers <12 years old. §12-412(b)

Sanctions for Failure to Use or
Require the Use of Safety Belts³:

Misdemeanor: 1st offense-A fine of not more than **\$200** 2nd offense (within one year)-A fine of not more than **\$300** 3rd and subsequent offenses (within one year)-An imprisonment term of not more than **6 months** and/or a fine of not more than **\$500** §17-101(a) & (b)

Effect on Civil Liability:

The UVC has no provision related to this subject.

Required Use of Child Safety Restraint Systems¹:

Requirements:

- I. When a motor vehicle⁴ is in operation, a vehicle operator (parent or legal guardian if in the vehicle but not the operator) must properly restrain a child <4 years old regardless of weight or <40 lbs. regardless of age in a child passenger restraint system that has been approved by the U.S. Department of Transportation. §12-412(c)(1)
II. When a motor vehicle⁴ is in operation, a vehicle operator (parent or legal guardian if in the vehicle but not the operator) must properly restrain a child ≥40 lbs. but <16 years either (1) in a child passenger restraint system that has been approved by the U.S. Department of Transportation or (2) in a safety belt. §12-412(c)(2)

Sanctions for Failure to Require
the Use of Child Restraint Systems³:

Misdemeanor: 1st offense-A fine of not more than **\$200** 2nd offense (within one year)-A fine of not more than **\$300** 3rd and subsequent offenses (within one year)-An imprisonment term of not more than **6**

Required Use of Child Safety Restraint Systems: (continued)

Sanctions for Failure to Require
the Use of Child Restraint Systems: (continued)

months and/or a fine of not more than **\$500** §17-101(a) & (b)

¹**Exemptions.** The State is authorized to exempt individuals and classes of persons from the required use of either safety belts or child restraint systems. Such exemptions must be based on either medical, physical or occupational reasons, where compliance would not be possible, safe and reasonable. §12-412(d)

²This requirement applies only to vehicles that have seating positions with safety belts. §12-412(a) & (b)

³The UVC does not specifically provide for any licensing sanctions for violations of vehicle occupant protection requirements. However, it does provide that a person's license can be suspended based upon frequent violations of the traffic laws under a point system. To implement this provision, the UVC authorizes a jurisdiction to implement a point system via regulations. §6-207 Under, such regulations, a jurisdiction could provide for the assessment of points for a violation of any occupant protection requirement.

⁴This requirement applies to vehicles that are required by Federal law to have safety belts. §§12-411 & 12-412(c)

UNIFORM VEHICLE CODE

Effect on Civil Liability:

The UVC has no provision on this subject.

Required Use of Motorcycle Protective Headgear:

Requirements:

No person shall operate or ride upon a motorcycle unless they are wearing protective headgear that has been approved by the State. §11-1306(a)

Sanctions for Failure to Use³:

Misdemeanor: 1st offense-A fine of not more than **\$200** 2nd offense (within one year)-A fine of not more than **\$300** 3rd and subsequent offenses (within one year)-An imprisonment term of not more than **6 months** and/or a fine of not more than **\$500** §17-101(a) & (b)

Required Use of Motorcycle Eye Protective Device⁵:

Requirements:

No person shall operate a motorcycle unless they are wearing an eye-protection device that has been approved by the State. §11-1306(b)

Sanctions for Failure to Use³:

Misdemeanor: 1st offense-A fine of not more than **\$200** 2nd offense (within one year)-A fine of not more than **\$300** 3rd and subsequent offenses (within one year)-An imprisonment term of not more than **6 months** and/or a fine of not more than **\$500** §17-101(a) & (b)

Required Use of Bicycle Protection Headgear:

Requirements:

None

Sanctions for Failure to Use:

Required Use of Bicycle Eye Protection Device:

Requirements:

None

Sanctions for Failure to Use:

Prohibition Against Riding in Unsecured Portion of Vehicle:

Requirements:

I. Persons, who are operating either (1) trucks having a gross vehicle

Prohibition Against Riding in Unsecured Portion of Vehicle: (continued)

⁵Under §11-1115, "[e]very person operating a motor vehicle that is not equipped with a windshield in position to deflect objects which would hit such person's face shall wear an eye-protection device of a type approved by the commissioner. This section shall not apply to a person operating a motorcycle."

UNIFORM VEHICLE CODE

Requirements: (continued)

weight of $\leq 10,000$ lbs.⁶ or (2) any flatbed truck of any weight, shall not transport any person < 18 years old in the back of such vehicles. §11-1118(a)

II. Persons < 18 years old shall not ride in the back of such vehicles. §11-1118(a)

Sanctions for a Violation³:

Misdemeanor: 1st offense-A fine of not more than **\$200** 2nd offense (within one year)-A fine of not more than **\$300** 3rd and subsequent offenses (within one year)-An imprisonment term of not more than **6 months** and/or a fine of not more than **\$500** §17-101(a) & (b)

Exemptions:

I. This prohibition does not apply if any one of the following conditions is satisfied: (1) The back of the vehicle is enclosed to a height of 46 inches from the floor; (2) the vehicle has a system that prevents a minor from being discharged from the back of the vehicle; or, (3) the minor has been secured to the vehicle in such a manner that they will not be thrown from, fall out of or jump from the vehicle. §11-1118(b)

II. This prohibition does not apply to the transportation of employees. §11-1118(c)

⁶This type of vehicle is commonly known as a pickup truck. §11-1118(a)